

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

WELLS FARGO BANK, NATIONAL ASSOCIATION, as Trustee for the Benefit of the Certificateholders of J.P. Morgan Chase Commercial Mortgage Securities Trust 2019-MFP, Commercial Mortgage Pass-Through Certificates, Series 2019-MFP, by and through Situs Holdings, LLC, as Special Servicer under the Trust and Servicing Agreement, dated as of July 18, 2019,

Plaintiff,

v.

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, MEYER CHETRIT, SHADOW CREEK OWNER, LLC, and 3100 DANIEL MCCALL DRIVE, LLC,

Defendants.

Civil Action No. 1:25-cv-01943-DEH

DECLARATION OF GULLIVER BRADY IN SUPPORT OF JPMORGAN CHASE BANK, N.A.'S MOTION TO DISMISS COUNT 1 OF THE COMPLAINT

I, Gulliver Brady, hereby declare under penalty of perjury that the following is true and correct:

1. I am admitted to practice law in the State of New York and am an attorney associated with the law firm of Sullivan & Cromwell LLP, counsel for Defendant JPMorgan Chase Bank, N.A. ("JPMorgan") in the above-captioned action. I am familiar with the facts asserted herein based on either personal knowledge or from an examination of the documents attached hereto.

2. I respectfully submit this declaration to provide the Court with certain materials cited in JPMorgan's June 10, 2025 Memorandum of Law in Support of its Motion to Dismiss Count 1 of the Complaint.

3. Attached as Exhibits 1 through 3 hereto are true and correct copies of the following documents:

- Exhibit 1. Evidentiary Hearing Transcript in *United States v. Ross*, 23-cr-20451 (E.D. Mich. Feb. 20, 2024), ECF No. 32. Exhibit 1 is referred to or relied upon in, *e.g.*, paragraphs 2, 21, 52-59, 61, 65, 105, and 179 of the Complaint.
- Exhibit 2. Order Finding That Sentencing Enhancements Pursuant to Guidelines §§ 2B1.1(b)(17)(A) and (D) Apply in This Case in *United States v. Ross*, 23-cr-20451 (E.D. Mich. Aug. 2, 2024), ECF 39.
- Exhibit 3. Letter re Notice of Material Breach from Situs Holdings, LLC, to JPMorgan Chase Bank, N.A. (Apr. 19, 2023). Exhibit 3 is referred to or relied upon in paragraphs 93 and 128 of the Complaint.
- Exhibit 4. Letter re Notice of Material Breach from Situs Holdings, LLC, to JPMorgan Chase Bank, N.A. (Nov. 26, 2024). Exhibit 4 is referred to or relied upon in paragraphs 95 and 111 of the Complaint.
- Exhibit 5. Letter re Response to Situs Notice and Repurchase Request from counsel for JPMorgan Chase Bank, N.A. to counsel for Situs Holdings, LLC (Feb. 24, 2025). Exhibit 5 is referred to or relied upon in paragraphs 96 and 113 of the Complaint.

Executed on June 10, 2025 in New York, New York.

/s/ Gulliver Brady
Gulliver Brady